

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON**

**IN RE: ETHICON, INC., PELVIC  
REPAIR SYSTEM PRODUCTS  
LIABILITY LITIGATION**

**Master File No. 2:12-MD-02327  
MDL No. 2327**

**THIS DOCUMENT RELATES TO  
THE CASES LISTED BELOW**

**JOSEPH R. GOODWIN  
U.S. DISTRICT JUDGE**

<i>Mullins, et al. v. Ethicon, Inc., et al.</i>	2:12-cv-02952
<i>Sprout, et al. v. Ethicon, Inc., et al.</i>	2:12-cv-07924
<i>Iquinto v. Ethicon, Inc., et al.</i>	2:12-cv-09765
<i>Daniel, et al. v. Ethicon, Inc., et al.</i>	2:13-cv-02565
<i>Dillon, et al. v. Ethicon, Inc., et al.</i>	2:13-cv-02919
<i>Webb, et al. v. Ethicon, Inc., et al.</i>	2:13-cv-04517
<i>Martinez v. Ethicon, Inc., et al.</i>	2:13-cv-04730
<i>McIntyre, et al. v. Ethicon, Inc., et al.</i>	2:13-cv-07283
<i>Oxley v. Ethicon, Inc., et al.</i>	2:13-cv-10150
<i>Atkins, et al. v. Ethicon, Inc., et al.</i>	2:13-cv-11022
<i>Garcia v. Ethicon, Inc., et al.</i>	2:13-cv-14355
<i>Lowe v. Ethicon, Inc., et al.</i>	2:13-cv-14718
<i>Dameron, et al. v. Ethicon, Inc., et al.</i>	2:13-cv-14799
<i>Vanbuskirk, et al. v. Ethicon, Inc., et al.</i>	2:13-cv-16183
<i>Mullens, et al. v. Ethicon, Inc., et al.</i>	2:13-cv-16564
<i>Shears, et al. v. Ethicon, Inc., et al.</i>	2:13-cv-17012
<i>Javins, et al. v. Ethicon, Inc., et al.</i>	2:13-cv-18479
<i>Barr, et al. v. Ethicon, Inc., et al.</i>	2:13-cv-22606
<i>Lambert v. Ethicon, Inc., et al.</i>	2:13-cv-24393
<i>Cook v. Ethicon, Inc., et al.</i>	2:13-cv-29260
<i>Stevens v. Ethicon, Inc., et al.</i>	2:13-cv-29918
<i>Harmon v. Ethicon, Inc., et al.</i>	2:13-cv-31818
<i>Snodgrass v. Ethicon, Inc., et al.</i>	2:13-cv-31881
<i>Miller v. Ethicon, Inc., et al.</i>	2:13-cv-32627
<i>Matney, et al. v. Ethicon, Inc., et al.</i>	2:14-cv-09195
<i>Jones, et al. v. Ethicon, Inc., et al.</i>	2:14-cv-09517
<i>Humbert v. Ethicon, Inc., et al.</i>	2:14-cv-10640
<i>Gillum, et al. v. Ethicon, Inc., et al.</i>	2:14-cv-12756
<i>Whisner, et al. v. Ethicon, Inc., et al.</i>	2:14-cv-13023
<i>Tomblin v. Ethicon, Inc., et al.</i>	2:14-cv-14664

<i>Schepleng v. Ethicon, Inc., et al.</i>	2:14-cv-16061
<i>Tyler, et al. v. Ethicon, Inc., et al.</i>	2:14-cv-19110
<i>Kelly, et al. v. Ethicon, Inc., et al.</i>	2:14-cv-22079
<i>Lundell v. Ethicon, Inc., et al.</i>	2:14-cv-24911
<i>Cheshire, et al. v. Ethicon, Inc., et al.</i>	2:14-cv-24999
<i>Burgoyne, et al. v. Ethicon, Inc., et al.</i>	2:14-cv-28620
<i>Bennett, et al. v. Ethicon, Inc., et al.</i>	2:14-cv-29624

### **PRETRIAL ORDER # 194**

#### **(First Amended Order Consolidating above Cases for Trial on Issue of Design Defect)**

Pending is the Unopposed Motion to Amend Pre-Trial Order 184, filed August 21, 2015, in which plaintiffs seek to add plaintiff Lisa Russell (2:13-cv-26652) to the consolidated action, *Mullins, et al. v. Ethicon, Inc., et al.*, 2:12-cv-02952, and drop plaintiff Rebecca Schepleng (2:14-cv-16061).<sup>1</sup> [Docket 43 in *Mullins*]. Defendants do not oppose the motion. It is **ORDERED** that while all substantive provisions of PTO # 184 remain in effect:

- (1) The Unopposed Motion to Amend Pre-Trial Order 184 [Docket 43] is **GRANTED**; and
- (2) Plaintiff Lisa Russell is added to the consolidated action and plaintiff Rebecca Schepleng is dropped;

The Clerk is **DIRECTED** to:

- (1) File a copy of the Amended Short Form Complaint filed by Ms. Russell in her individual case, which is attached to plaintiffs' motion [docket 43-1] in the consolidated action; and
- (2) Remove the Amended Short Form Complaint filed by Ms. Shepleng in the consolidated case [docket 44] and file it in Ms. Shepleng's individual case 2:14-cv-16061.

The court **DIRECTS** the Clerk to file a copy of this order in **2:12-md-2327 and the above-**

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<sup>1</sup> Ms. Russell's original Short Form Complaint identified the TVT-O rather than the TVT. She has since filed an Amended Short Form Complaint to correct the error. Ms. Schepleng has both a TVT and a TVT-O product and thus, her case is not appropriate for inclusion in this particular consolidation.

**referenced cases including Ms. Russell's case (2:13-cv-26652)** and it shall apply to each member related case previously transferred to, removed to, or filed in this district, which includes counsel in all member cases up to and including civil action number 2:15-cv-12616. In cases subsequently filed in this district, a copy of the most recent pretrial order will be provided by the Clerk to counsel appearing in each new action at the time of filing of the complaint. In cases subsequently removed or transferred to this court, a copy of the most recent pretrial order will be provided by the Clerk to counsel appearing in each new action upon removal or transfer. It shall be the responsibility of the parties to review and abide by all pretrial orders previously entered by the court. The orders may be accessed through the CM/ECF system or the court's website at [www.wvwd.uscourts.gov](http://www.wvwd.uscourts.gov).

ENTER: August 25, 2015



JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE